

AGN. NO. _____

MOTION BY SUPERVISOR DON KNABE

June 25, 2013

The Congestion Management Program (CMP) was enacted in 1990 as a companion to the increase in the State gas tax, enacted by voters through their approval of Proposition 111 and Proposition 108.

The Los Angeles County Metropolitan Transportation Authority (Metro) is the designated *Congestion Management Agency*, as authorized by State statute to develop a Congestion Management Program for Los Angeles County, which is required to allow State gas tax funds to flow to local jurisdictions.

The Los Angeles County CMP is also used by the Southern California Association of Governments to meet federal Congestion Management System requirements for the region, necessary for federal transportation funding approval.

The CMP statute requires local jurisdictions to monitor CMP arterial and transit networks, to implement TDM and land use ordinances, and mitigate the impact of land use decisions through a Deficiency Plan.

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While the Los Angeles CMP includes various performance standards including highway levels of service, transit through-put, person miles traveled for the existing “debit-credit” Deficiency Plan and Annual Vehicle Hours of Delay for the Congestion Mitigation Fee Nexus Studies, the statutory Deficiency Plan mitigation requirements are triggered by not attaining highway level of service standards on the CMP system.

The Metro Board of Directors in 2003 directed staff to consider the feasibility of implementing a Congestion Mitigation Fee to meet local mitigation responsibilities of the Deficiency Plan to replace the current “debit-credit” approach.

Metro is responsible for verifying compliance with the CMP each February.

Metro certified the County and all local jurisdictions as being in compliance with the CMP on February 28, 2013.

Much has changed since 1990 in the interrelationship between land use and transportation, with performance metrics, and, significantly, with regard to transportation funding, such as:

- The adoption of AB 32 greenhouse gas requirements and SB 375 regional Sustainable Community Strategies requirements.
- Opportunities for additional transportation resources through state Cap and Trade auction proceeds.
- Opportunities to incentivize transit oriented development.
- Consideration of new performance measures currently under study for MAP-21.

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- The adoption of Proposition A, Proposition C and Measure R which have created significant transportation investments in Los Angeles County.

All these changes raise the question as to how helpful, relevant, and consistent the 1990 CMP statute is with 21st Century programs like AB 32, SB 375 and *America Fast Forward*.

I, THEREFORE, MOVE that the Board instruct the CEO to send a letter to Metro indicating the Board's support for Metro to work our Sacramento delegation to investigate, hold hearings and ascertain whether, in light of the above, the CMP is still an appropriate, useful and consistent tool aligned with our state and regional objectives, and direct the CEO to report to the Board regarding any State findings and legislative changes to CMP statute, and in consultation with Metro, the business and environmental communities, local jurisdictions and the Southern California Association of Governments, return to the Board with a report and recommendation on next steps to work with Metro and others on meeting CMP requirements no later than the first regular Board meeting in January 2014, prior to when the Metro Board must determine local jurisdiction conformity with CMP statute.

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